

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [19-md-02913-WHO](#)Case Name: In Re: Juul Labs, Inc., (San Francisco Unified School District v. Juul (Case No. 20-cv-8117-WHO))

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEYS:</b>	<b>DEFENSE ATTORNEYS:</b>
William H. Orrick	Sarah London, Dena Sharp, and Thomas Cartmell	Beth Wilkinson and Brian Stekloff
<b>TRIAL DATE: 04/27/2023</b>	<b>REPORTER:</b>	<b>CLERK:</b>
7:55 a.m. to 1:29 p.m. 5 hours, 34 minutes	Debra Pas	Jean Davis

PLF NO.	DEF NO.	TIME OFFERED	ID	REC	DESCRIPTION
		7:55 a.m.			In camera conference conducted outside the courtroom. Sarah London, Dena Sharp, Beth Wilkinson, and Brian Stekloff present. Issue with juror discussed
		8:05 a.m.			Selected Juror No. 9 (Randomized Selection No. 56) brought into conference and queried
		8:12 a.m.			Juror No. 9 excused from further service.
		8:13 a.m.			Court and counsel discuss ongoing motion in limine directives in light of opening statements and testimony to date; treatment of Mr. Pritzker as an adverse witness discussed
		8:30 a.m.			Court in recess
		8:42 a.m.			Court in session; jurors seated
		8:44 a.m.			Testimony of <b>Dinyar Devitre</b> continued by means of video deposition excerpts (Pl: 20, Def: 6)
		9:10 a.m.			Plaintiff announces exhibits admitted pursuant to stipulated order of the Court
<b>3297</b>		9:10 a.m.	X		7/21/2017 Email from Riaz Valani to nick@taocap.com Re: Our Leadership - Altria
<b>45</b>		9:10 a.m.	X		6/13/2018 Messages from Devitre, LLC to Howard Willard
<b>1868</b>		9:10 a.m.	X		6/28/2018 Email from Dinya Devitre to William Gifford Re: Jefferies - Tobacco - Nielsen US cigarette industry vols - stop with all the negativity -- 06.26.18.pdf
<b>47</b>		9:10 a.m.	X		Tobacco - Nielsen US Cigarette Industry Volumes: Stop With All the Negativity, Jefferies Group, 6/26/2018
<b>549</b>		9:10 a.m.	X		08/10/2018 Messages from Dinyar Devitre to Riaz Valani
<b>49</b>		9:10 a.m.	X		12/25/2018 Email from Dinyar Devitre to Susan Cohen Re: Notes made by Devitre after call with Riaz Valani
		9:11 a.m.			Testimony of <b>K.C. Crosthwaite</b> presented by means of video deposition excerpts (Pl: 43, Def: 8)
		10:03 a.m.			Plaintiff announces exhibits admitted pursuant to stipulated order of the Court

Case No: 19-md-02913-WHOCase Name: In Re: Juul Labs, Inc., (San Francisco Unified School District v. Juul (Case No. 20-cv-8117-WHO)Date: April 27, 2023Courtroom Deputy: Jean Davis - Court Reporter: Debra Pas**EXHIBIT and WITNESS LIST CONTINUED**

PLF NO.	DEF NO.	TIME OFFERED	ID	REC	DESCRIPTION
475		10:03 a.m.		X	KC Crosthwaite Former LinkedIn Profile - linkedin.com
476		10:03 a.m.		X	Page 9 of "The Health Consequences of Smoking, A Report of the Surgeon General, 1988" USDHHS
480		10:03 a.m.		X	Demonstrative - Demo K: 2012 Surgeon General Report, Page 8
486		10:03 a.m.		X	Altria Notice of Annual Meeting of Shareholders and Proxy Statement, 2019
488		10:03 a.m.		X	Demonstrative - Demo AO: Pages 598-599 from "Preventing Tobacco Use Among Youth and Young Adults, A Report of the Surgeon General", Surgeon General Report 2012 – USDHHS
489		10:03 a.m.		X	Demonstrative - Demo H: "Preventing Tobacco Use Among Youth and Young Adults", Surgeon General Report 2012 - Consumer Booklet
496		10:03 a.m.		X	Demonstrative - Demo AG: Public Law 111-31, Family Smoking Prevention, - Pages 3-4 - TCA, - 6/22/2009
498		10:03 a.m.			Mickle, "Marlboro Black Lures Millennials Who Shunned Cowboy Image", wsj.com, November 28, 2016
506		10:03 a.m.		X	05/21/2019 Email from Kristen Killea to K.C. Crosthwaite Re: PMTA Analysis
507		10:03 a.m.		X	07/21/2019 Email from K.C. Crosthwaite to James Wappler and David Wise RE: Scanned document from Crosthwaite, Kevin C.
509		10:03 a.m.		X	07/22/2019 Email from Carina Davidson to K.C. Crosthwaite Re: Revised documents
512		10:03 a.m.		X	09/13/2019 Email from K.C. Crosthwaite to Murray Garnick Re: Draft plan for CEO switch: Jupiter
515		10:03 a.m.		X	02/08/2019 Email from Richard Farrell to K.C. Crosthwaite Re:: February E-Vapor Business Update
519		10:03 a.m.		X	Demonstrative AD2 - Letter to FDA re JUUL PMTA, April 27 2021
525		10:03 a.m.		X	Demonstrative Z - Menthol and Cigarettes Basic Information, October 5, 2021 – CDC
		10:04 a.m.			Jurors excused
		10:04 a.m.			Objection to Exhibit <b>498</b> and portions of deposition testimony argued outside the presence of the jury. Issues taken under advisement
		10:12 a.m.			Court in recess
		10:27 a.m.			Court in session (jurors present) Plaintiff direct examination of <b>Quarry Pak</b> (Sharp)

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PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
<b>5079</b>		10:30 a.m.	X	X	Juul School (no objection)
		11:21 a.m.			Sidebar conference [time charged to defense]
		11:25 a.m.			Defense cross examination of <b>Quarry Pak</b> (Wilkinson)
	<b>6003</b>	11:27 a.m.	X	X	SFUSD Board of Education Policy (no objection)
	<b>7100</b>	11:30 a.m.	X	X	San Francisco Health Code Article (no objection)
	<b>6399</b>	11:35 a.m.	X	X	San Francisco Health Code, Article 19Q (no objection)
		11:36 a.m.			Plaintiff redirect of <b>Quarry Pak</b> (Sharp)
		11:40 a.m.			Witness excused
		11: 41 a.m.			Jurors excused
		11:42 a.m.			Sidebar (off record)
		11:50 a.m.			Court in recess
		12:03 p.m.			Court in session (jurors present) Testimony of <b>Matthew Alan Romyak</b> presented by way of video deposition excerpts (Pl: 19, Def: 1)
		12:26 p.m.			Entry of exhibits admitted pursuant to stipulated order of the Court
<b>3298</b>		12:26 p.m.		X	6/30/2017 Email from Matthew Romyak to Howard Willard Re: CMI Presentation for BOD Member on July 12th
<b>885</b>		12:26 p.m.		X	8/10/2018 Email from Bruce Neidle to Zane Underwood Re: Draft FY E-Vapor Estimate (percent Juul).xlsx
<b>163</b>		12:26 p.m.		X	01/18/2018 Email from Jon Getz to Matthew Romyak et al. Re: Juul Interaction with Cigarettes and Balance of E-Vapor
<b>887</b>		12:26 p.m.		X	05/10/2018 Email from Matthew Romyak to Pascal Fernandez and Bruce Neidle Re: Updates for Jody BOD and Additional Slide
<b>826</b>		12:26 p.m.		X	04/24/2018 Letter from FDA to Ziad Rouag Re: 904(b) Document Request
<b>889</b>		12:26 p.m.		X	JUUL E-Cig and teens: Health Problem of the Decade? March 15, 2018. CNN
<b>891</b>		12:26 p.m.		X	School System aware of JUUL Vaping device being used by students. 2018. NBC
<b>892</b>		12:26 p.m.		X	02/20/2018 Email from Craig Schwartz to Regina Costello et al. Re: Thoughts on Stated Volume???
<b>164</b>		12:26 p.m.		X	06/08/2018 Email from Jon Getz to Kirby Forlin et al. Re: eVapor April 2018 report and presentation "Adult Tobacco Consumer Tracker", 5/25/2018

		12:27 p.m.			Testimony of <b>William F. Gifford, Jr.</b> presented by way of video deposition excerpts
		1:28 p.m.			Jurors excused.
		1:29 p.m.			Court in recess

Plaintiff time at start of day: 31 hours, 0 minutes  
Time used 04/27/2023: 3 hours, 24 minutes  
Time remaining: 27 hours, 36 minutes

Defendant total time: 36 hours, 39 minutes  
Time used 04/27/2023: 30 minutes  
Time remaining: 36 hours, 9 minutes